

Department of Homeland Security

§ 232.2

Canada or the British Overseas Territory of Bermuda are not required to complete the departure portion of the Form I-94 if they are entering the United States for business or pleasure under section 101(a)(15)(B) of the Act, and intend to remain in the United States for less than 6 months.

[48 FR 21548, May 13, 1983, as amended at 48 FR 36093, Aug. 9, 1983; 48 FR 40209, Sept. 6, 1983; 68 FR 5193, Jan. 31, 2003; 68 FR 46929, Aug. 7, 2003]

§ 231.2 Departure manifest for passengers.

The master, captain, or agent of every vessel or aircraft departing from the United States for a foreign place or outlying possession of the United States shall present a departure manifest to the immigration officer at the port of departure. The manifest must be in the form of a properly completed departure portion of Form I-94, Arrival/Departure Record, for each person on board except for United States citizens, and lawful permanent resident aliens of the United States. No manifest is required for a vessel or aircraft departing on a trip directly for and terminating in Canada, or departing from the United States Virgin Islands directly to the British Virgin Islands on a trip terminating in the British Virgin Islands. Whenever possible, the departure Form I-94 used shall be the same form given the alien at the time of arrival in the United States. Carriers shall endorse the Form I-94 with the departure information on the reverse of the form. Additionally, a properly completed Aircraft/Vessel Report, Form I-92, must be completed for each departing aircraft and each departing vessel which is transporting passengers. Submission of Forms I-94 and I-92 to the immigration officer shall normally be accomplished within 48 hours of the departure, exclusive of Saturdays, Sundays, and legal holidays. Failure to submit departure manifests within this time period shall be regarded as failure to comply with section 231(d) of the Act, unless prior authorization for delayed delivery of the departure manifest is obtained from the district director. A non-immigrant alien departing on an aircraft proceeding directly to Canada on

a flight terminating in that country should surrender any Form I-94 in his/her possession to the airline agent at the port of departure. Aircraft manifests should not include I-94 forms for in-transit passengers referred to in paragraph (b) of § 231.1.

[48 FR 21548, May 13, 1983]

§ 231.3 Exemptions for private vessels and aircraft.

The provisions of this part relating to the presentation of arrival and departure manifests shall not apply to a private vessel or private aircraft not engaged directly or indirectly in the carriage of persons or cargo for hire.

[32 FR 9627, July 4, 1967]

PART 232—DETENTION OF ALIENS FOR PHYSICAL AND MENTAL EXAMINATION

232.1 General.

232.2 Examination in the United States of alien applicants for benefits under the immigration laws and other aliens.

232.3 Arriving aliens.

AUTHORITY: 8 U.S.C. 1103, 1222, 1224, 1252; 8 CFR part 2.

§ 232.1 General.

The manner in which the physical and mental examination of aliens shall be conducted is set forth in 42 CFR part 34.

[38 FR 33061, Nov. 30, 1973, as amended at 38 FR 34315, Dec. 13, 1973. Redesignated at 62 FR 10353, Mar. 6, 1997]

§ 232.2 Examination in the United States of alien applicants for benefits under the immigration laws and other aliens.

(a) *General.* When a medical examination is required of an alien who files an application for status as a permanent resident under section 245 of the Act or part 245 of this chapter, it shall be made by a selected civil surgeon. Such examination shall be performed in accordance with 42 CFR part 34 and any additional instructions and guidelines as may be considered necessary by the U.S. Public Health Service. In any other case in which the Service requests a medical examination of an alien, the examination shall be made